

**GIPSA
Press
Release**

United States
Department of
Agriculture

Grain Inspection,
Packers and
Stockyards
Administration

STOP 3601
1400 Independence Ave., SW
Washington, D.C.
20250-3601

GIPSA Release 219-12

Catherine M. Grasso 202-720-7201
Catherine.M.Grasso@usda.gov

**United States Court of Appeals for the Third Circuit Upholds Decision
Against Empire Kosher Poultry, Inc.**

WASHINGTON, Aug. 16, 2012 – On April 12, 2012, the United States Court of Appeals for the Third Circuit upheld the March 8, 2011, decision issued by an U.S. Department of Agriculture Administrative Law Judge finding in favor of Grain Inspection, Packers and Stockyards Administration.

Empire Kosher Poultry, Inc. (Empire), Harrisburg, Penn., appealed the March 8, 2011, decision with the U.S. Department of Agriculture's Judicial Officer. On July 20, 2011, a U.S. Department of Agriculture Administrative Law Judge upheld the March 8, 2011, decision.

Empire has been ordered to cease and desist from failing to pay for poultry purchases within the time period required by Section 410 of the Packers and Stockyards (P&S) Act 7 U.S.C. §228b-1.

Empire has also been assessed a civil penalty in the amount of \$18,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

USDA is an equal opportunity provider and employer. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Office of Civil Rights, Office of Adjudication, 1400 Independence Ave., S.W., Washington, D.C. 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).